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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,070	12/15/2003	James C. Stebnicki	790063.94507DIV	4262
26710 7590 04/05/2007 QUARLES & BRADY LLP 411 E. WISCONSIN AVENUE SUITE 2040 MILWAUKEE, WI 53202-4497			EXAMINER OMGBA, ESSAMA	
			ART UNIT	PAPER NUMBER
			3726	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/05/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

## Office Action Summary

Application No.

10/736,070

Applicant(s)

STEBNICKI ET AL.

Examiner

Essama Omgba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-12 and 14-25 is/are pending in the application.
- 4a) Of the above claim(s) 4,7,8,11,12,14,18,21,24 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,3,5,6,9,10,15-17,19,20,22 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. The indicated allowability of claims 6, 9, 15, 16, 20 and 24 is withdrawn in view of the newly discovered reference(s) to Rainwater (US Patent 3,139,826). Rejections based on the newly cited reference(s) follow.

### ***Election/Restrictions***

2. Claims 4, 5, 7, 8, 11, 14, 18, 21, 24 and 25 remain withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to nonelected species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on July 3, 2006. Applicant is hereby required to provide those claims with the appropriate status identifier.

### ***Claim Objections***

3. Claims 10 and 23 are objected to because of the following informalities: claims 10 and 23 are identical therefore one of the claims should be canceled or amended. Appropriate correction is required.

4. Claim 19 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. The limitation of claim 19 is present in claim 6.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 6, 10, 17, 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lauhus (US Patent 6,182,233) in view of Adkisson et al. (US Patent 4,453,848) or Cormier et al. (US Patent 6,394,943).

Lauhus discloses extruding an elongated roller core 4 defining a radially outwardly facing surface, and including an axial opening for receiving a shaft 1, the core 4 being formed from a first material having a first coefficient of friction (col. 1, lines 40-43 and col. 2, lines 37-39), and coextruding (col. 2, line 2) a coating over the radially outwardly facing surface, the coating being formed from a second material having a second coefficient of friction, the second coefficient of friction being different from the first coefficient of friction (col. 2, lines 36-39). Note end caps 16a. Lauhus does not disclose the core comprising an inner cylindrical shell joined to an outer cylindrical shell by at least one radially extending spoke. However such cores are known as attested by Adkisson et al. (figure 2) or Cormier et al. (figure 2). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that, extruding the elongated core to include an inner cylindrical shell joined to an outer cylindrical shell by at least one radially extending spoke as taught by Adkisson et al. or

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Cormier et al. versus the plain core taught by Lauhus is an obvious matter of design choice. One of ordinary skill in the art would find it obvious to choose one design over the other to satisfy specific constraints such as weight. Applicant should note that the recitation of the intended use has not been given any patentable weight. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

7. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lauhus/Adkisson et al./Cormier et al. as applied to claim 6 above, and further in view of Moe (US Patent 2,572,276).

Lauhus/Adkisson et al./Cormier et al. discloses the invention has shown above except for the coating having at least one axially extending discontinuity. However Moe teaches providing such rollers with a smooth outwardly facing face or with discontinuities 12 on the outwardly facing surface, see the figure and column 3, lines 21-22. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have provided such discontinuities to the roller of Lauhus/Adkisson et al./Cormier et al., in light of the teachings of Moe, as is known in the art. Applicant should note that having the discontinuities expose or not at least a portion of the core is an obvious matter of design choice. See also discontinuities 12 in between pairs of adjacent spokes in Moe.

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8. Claims 5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lauhus in view of Rainwater (US Patent 3,139,826).

Lauhus discloses extruding an elongated roller core 4 defining a radially outwardly facing surface, and including an axial opening for receiving a shaft 1, the core 4 being formed from a first material having a first coefficient of friction (col. 1, lines 40-43 and col. 2, lines 37-39), and coextruding (col. 2, line 2) a coating over the radially outwardly facing surface, the coating being formed from a second material having a second coefficient of friction, the second coefficient of friction being different from the first coefficient of friction (col. 2, lines 36-39). The extruding of the elongated core 4 includes forming an outer cylindrical shell to define the radially outwardly facing surface. Lauhus does not disclose extruding the elongated roller core onto a shaft. However it is known to extrude roller cores onto supporting shafts as attested by Rainwater, see column 8, lines 1-3. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have extruded the roller core of Lauhus onto its shaft, in light of the teachings of Rainwater, in order to simplify the manufacturing process. Applicant should note that the recitation of the intended use has not been given any patentable weight. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

9. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lauhus/Rainwater as applied to claim 9 above, and further in view of Moe.

Lauhus/Rainwater discloses the invention has shown above except for the coating having at least one axially extending discontinuity. However Moe teaches providing such rollers with a smooth outwardly facing face or with discontinuities 12 on the outwardly facing surface, see the figure and column 3, lines 21-22. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have provided such discontinuities to the roller of Lauhus/Rainwater, in light of the teachings of Moe, as is known in the art.

10. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lauhus in view of Rainwater and Moe.

Lauhus discloses extruding an elongated roller core 4 defining a radially outwardly facing surface, and including an axial opening for receiving a shaft 1, the core 4 being formed from a first material having a first coefficient of friction (col. 1, lines 40-43 and col. 2, lines 37-39), and coextruding (col. 2, line 2) a coating over the radially outwardly facing surface, the coating being formed from a second material having a second coefficient of friction, the second coefficient of friction being different from the first coefficient of friction (col. 2, lines 36-39). Lauhus does not disclose extruding the elongated roller core onto a shaft. However it is known to extrude roller cores onto supporting shafts as attested by Rainwater, see column 8, lines 1-3. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have extruded the roller core of Lauhus onto its shaft, in light of the teachings of Rainwater, in order to simplify the manufacturing process. Lauhus/rainwater does not disclose forming at least one axially extending discontinuity in the coating. However

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Moe teaches providing such rollers with a smooth outwardly facing face or with discontinuities 12 on the outwardly facing surface, see the figure and column 3, lines 21-22. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have provided such discontinuities to the roller of Lauhus/Rainwater, in light of the teachings of Moe, as is known in the art. Applicant should note that the recitation of the intended use has not been given any patentable weight. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

11. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lauhus in view of Moe.

Lauhus discloses extruding an elongated roller core 4 defining a radially outwardly facing surface, and including an axial opening for receiving a shaft 1, the core 4 being formed from a first material having a first coefficient of friction formed from a polymer (col. 1, lines 40-43 and col. 2, lines 37-39), and coextruding (col. 2, line 2) a coating over the radially outwardly facing surface, the coating being formed from a second material having a second coefficient of friction, the second coefficient of friction being different from the first coefficient of friction (col. 2, lines 36-39). Note end caps 16a. Lauhus does not disclose forming at least one axially extending discontinuity in the coating. However Moe teaches providing such rollers with a smooth outwardly facing face or with discontinuities 12 on the outwardly facing surface, see the figure and



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column 3, lines 21-22. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have provided such discontinuities to the roller of Lauhus, in light of the teachings of Moe, as is known in the art. Applicant should note that the recitation of the intended use has not been given any patentable weight. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

12. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lauhus in view of Adkisson et al. or Cormier et al. and Moe.

Lauhus discloses extruding an elongated roller core 4 defining a radially outwardly facing surface, and including an axial opening for receiving a shaft 1, the core 4 being formed from a first material having a first coefficient of friction (col. 1, lines 40-43 and col. 2, lines 37-39), and coextruding (col. 2, line 2) a coating over the radially outwardly facing surface, the coating being formed from a second material having a second coefficient of friction, the second coefficient of friction being different from the first coefficient of friction (col. 2, lines 36-39). Note end caps 16a. Lauhus does not disclose the core comprising an inner cylindrical shell joined to an outer cylindrical shell by at least one radially extending spoke. However such cores are known as attested by Adkisson et al. (figure 2) or Cormier et al. (figure 2). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that, extruding the elongated core to include an inner cylindrical shell joined to an outer

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cylindrical shell by at least one radially extending spoke as taught by Adkisson et al. or Cormier et al. versus the plain core taught by Lauhus is an obvious matter of design choice. One of ordinary skill in the art would find it obvious to choose one design over the other to satisfy specific constraints such as weight. Lauhus/Adkisson et al./Cormier et al. does not disclose forming at least one axially extending discontinuity in the coating. However Moe teaches providing such rollers with a smooth outwardly facing face or with discontinuities 12 on the outwardly facing surface, see the figure and column 3, lines 21-22. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have provided such discontinuities to the roller of Lauhus/Adkisson et al./Cormier et al., in light of the teachings of Moe, as is known in the art. Applicant should note that the recitation of the intended use has not been given any patentable weight. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

### ***Response to Arguments***

13. Applicant's arguments with respect to claims 2, 3, 5, 6, 9, 10 and 14-23 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgba whose telephone number is (571) 272-4532. The examiner can normally be reached on M-F 9-6:30, 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Essama Omgba', written in a cursive style.

Essama Omgba  
Primary Examiner  
Art Unit 3726

eo

March 29, 2007